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PTO/SB/21 (02-04)

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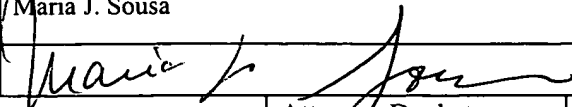
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/801,024
		Filing Date	March 15, 2004
		Confirmation Number	Unassigned
		First Named Inventor	Steven Peng et al.
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	9	Attorney Docket Number	GUID-028CON2
<b>ENCLOSURES (check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 Pgs.) <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Revocation, Power of Attorney Change of Correspondence Address <input type="checkbox"/> Statement Under 37CFR 3.73(b) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Forms of PTO (6 Pgs.) Postcard	Remarks
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual Name	ALAN W. CANNON, Reg. No. 34,977		
Signature			
Date	APRIL 16, 2004		

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450			
Typed or printed name	Maria J. Sousa		
Signature		Date	April 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the PTO to Process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that this Information Disclosure Statement is being hand delivered to the United States Patent and Trademark Office at: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313			
Typed or Printed Name		Maria J. Sousa	
Signature			
		Date	April 16, 2004
<b>INFORMATION DISCLOSURE STATEMENT</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Attorney Docket	GUID-028CON2
		First Named Inventor	Steven Peng et al.
		Application Number	10/801,024
		Filing Date	March 15, 2004
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Title: Organ Manipulator Having Suction Member Supported with Freedom to Move Relative to its Support	

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration.

A Forms PTO-1449 listing the references accompany this paper. Applicants would appreciate the Examiner's initialing and returning the forms to indicate that the references have been reviewed and made of record. Copies of the references identified herein which were disclosed in parent application Serial No. 09/747,388, filed December 22, 2000, which is a Divisional of No. 09/390,792, filed September 7, 1999, are not included herein, pursuant to the provisions of 37 C.F.R. Section 1.98(d). Also, U.S. patents that were not cited in the parent application are not included pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i) for patent applications filed after June 30, 2003, provisions of 37 C.F.R. Section 1.98(d).

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. §102.

As applicants have not yet received a first Action on the merits, no fee is believed to be required for filing this Disclosure Statement. If, however, the PTO finds that for some reason a fee is due, our Deposit Account No. 50-2653, order No. GUID-028CON2 may be charged therefore.

Date: \_\_\_\_\_

*April 16, 2004*

LAW OFFICE OF ALAN W. CANNON  
834 South Wolfe Road  
Sunnyvale, CA 94086  
Telephone: (408) 736-3554  
Facsimile: (408) 736-3564

Respectfully submitted,  
LAW OFFICE OF ALAN W. CANNON

By: \_\_\_\_\_

*Alan W. Cannon*

Alan W. Cannon  
Registration No. 34,977

<b>INFORMATION DISCLOSURE CITATION</b> <b>Form PTO-1449 (Modified)</b> (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> GUID028CON2	<b>CONFIRMATION NO.</b> Unassigned	<b>SERIAL NO.</b> 10/801,024
	<b>APPLICANT</b> Steven Peng et al.		
	<b>FILING DATE</b> 03/15/2004		<b>GROUP</b> Unassigned



### U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	2,082,782	06/08/37	Allen			
	A2	3,466,079	09/09/69	W.K. Mammel			
	A3	3,584,822	06/15/71	Oram			
	A4	3,912,317	10/14/75	Ohnaka, et al.			
	A5	3,916,909	11/04/75	Kletschka, et al.			
	A6	4,049,002	09/20/77	Kletschka, et al.			
	A7	4,049,484	09/20/77	Priest et al.			
	A8	4,094,484	06/13/78	Galione et al.			
	A9	4,096,853	06/27/78	Hanfried Weigand			
	A10	4,217,890	08/19/80	Owens			
	A11	4,350,160	09/21/82	Kolesov et al.			
	A12	4,457,300	07/03/84	Budde			
	A13	DES 293,470	12/29/87	Adler			
	A14	4,637,377	01/20/87	Loop			
	A15	4,827,926	05/09/89	Carol			
	A16	4,852,552	08/01/89	Chaux			
	A17	4,904,012	02/27/90	Nishiguchi et al.			
	A18	4,949,927	08/21/90	Madocks et al.			
	A19	4,957,477	09/18/90	Lundback			
	A20	5,019,086	05/28/91	Neward			
	A21	5,131,905	07/21/92	Grooters			
	A22	5,139,517	08/18/92	Corral			
	A23	5,150,706	09/29/92	Cox et al.			

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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				APPLICANT Steven Peng et al.					
				FILING DATE 03/15/2004				GROUP Unassigned	
	A24	5,192,070	03/09/93	Nagai et al.					
	A25	5,256,132	10/26/93	Snyders					
	A26	5,290,082	03/01/94	Palmer et al.					
	A27	5,348,259	09/20/94	Blanco et al.					
	A28	5,417,709	05/23/95	Charles R. Slater					
	A29	5,452,733	09/26/95	Sterman et al.					
	A30	5,453,078	09/26/95	Valentine et al.					
	A31	5,480,425	01/02/96	Ogilvie					
	A32	5,484,391	01/16/96	Buckman Jr. et al.					
	A33	5,509,890	04/23/96	Kazama					
	A34	5,536,251	07/16/96	Evard et al.					
	A35	5,569,274	10/29/96	Rapacki et al.					
	A36	5,571,215	11/05/96	Sterman et al.					
	A37	5,613,937	03/25/97	Garrison et al.					
	A38	5,632,746	05/27/97	Middleman et al.					
	A39	5,662,300	09/02/97	Michelson					
	A40	5,713,951	02/03/98	Garrison et al.					
	A41	5,727,569	03/17/98	Benetti et al.					
	A42	5,728,151	03/17/98	Garrison et al.					
	A43	5,730,757	03/24/98	Benetti et al.					
	A44	5,735,290	04/07/98	Sterman et al.					
	A45	5,766,151	06/16/98	Valley et al.					
	A46	5,782,746	07/21/98	Wright					
	A47	5,797,960	08/25/98	Stevens et al.					
	A48	5,799,661	09/01/98	Boyd et al.					
	A49	5,807,243	09/15/98	Vierra et al.					

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				APPLICANT Steven Peng et al.					
				FILING DATE 03/15/2004				GROUP Unassigned	
	A50	5,836,311	11/17/98	Borst et al.					
	A51	5,865,730	02/02/99	Fox et al.					
	A52	5,885,271	03/23/99	Hamilton et al.					
	A53	5,894,843	04/20/99	Benetti et al.					
	A54	5,899,425	05/04/99	Corey et al.					
	A55	5,906,607	05/25/99	Taylor et al.					
	A56	5,927,284	07/27/99	Borst et al.					
	A57	5,957,835	09/29/99	Anderson et al.					
	A58	5,984,864	11/16/99	Fox et al.					
	A59	6,010,531	01/04/00	Donion et al.					
	A60	6,013,027	01/11/00	Khan et al.					
	A61	6,015,378	01/18/00	Borst et al.					
	A62	6,019,722	02/01/00	Spence et al.					
	A63	6,027,476	02/22/00	Sterman et					
	A64	6,029,671	02/29/00	Stevens et al.					
	A65	6,036,641	03/14/00	Taylor et al.					
	A66	6,042,539	03/28/00	Harper et al.					
	A67	6,050,266	04/18/00	Benetti et al.					
	A68	6,110,187	08/29/00	Brian S. Donlon					
	A69	6,120,436	09/19/00	Anderson et al.					
	A70	6,139,492	10/31/00	Vierra et al.					
	A71	6,149,583	11/21/00	Vierra et al.					
	A72	6,183,486	02/06/01	Snow et al.					
	A73	6,210,323	04/03/01	Gilhuly et al.					
	A74	6,213,940	04/10/01	Sherts et al.					
	A75	6,213,941	04/10/01	Benetti et al.					

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				APPLICANT Steven Peng et al.					
				FILING DATE 03/15/2004				GROUP Unassigned	
	A76	6,231,585	05/15/01	Takahashi et al.					
	A77	6,251,065	06/26/01	Kochamba					
	A78	6,264,605	07/24/01	Scirica et al.					
	A79	6,315,717	11/13/01	Benetti et al.					
	A80	6,346,077	02/12/02	Taylor et al.					
	A81	6,350,229	02/26/02	Borst et al.					
	A82	6,371,910	04/16/02	Zwart et al.					
	A83	6,375,611	04/23/02	Voss et al.					
	A84	6,394,951	05/28/02	Taylor et al.					
	A85	6,398,726	06/04/02	Romans et al.					
	A86	6,406,424	06/18/02	Williamson et al.					
	A87	6,447,443	09/10/02	Keogh et al.					
	A88	6,458,079	10/01/02	Cohn et al.					
	A89	6,464,629	10/15/02	Boone et al.					
	A90	6,464,630	10/15/02	Borst et al.					
	A91	6,468,265	10/22/02	Evans et al.					
	A92	6,478,029	11/12/02	Boyd et al.					
	A93	6,478,729	11/12/02	Rogers et al.					
	A94	6,482,151	11/19/02	Vierra et al.					
	A95	6,494,211	12/17/02	Boyd et al.					
	A96	6,503,245	01/07/03	Palmer et al.					
	A97	6,506,149	01/14/03	Peng et al.					
	A98	6,537,212	03/25/03	Sherts et al.					
	A99	6,565,508	05/20/03	Scirica et al.					
	A100	6,589,166	07/08/03	Knight et al.					
	A101	6,592,573	07/08/03	Knight et al.					

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				APPLICANT Steven Peng et al.					
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	A102	6,607,479	08/19/03	Kochamba et al.					
	A103	6,610,008	08/26/03	Spence et al.					
	A104	6,610,009	08/26/03	Person et al.					
<b>FOREIGN PATENT DOCUMENTS</b>									
		Document Number	Date	Country		Class	Subclass	Translation Yes / No	
	B1	DE 3138589 A1	04/07/83	Germany					
	B2	DE 4139695 A1	06/03/93	Germany					
	B3	96/40354	12/19/96	PCT					
	B4	WO 97/26828	07/31/97	PCT					
	B5	WO 97/10753	03/27/97	PCT					
	B6	EP 0 820 721 A1	07/25/97	EPO					
	B7	EP 0 791 329 A1	08/27/97	EPO					
	B8	EP 0 791 330 A2	08/27/97	Europe					
	B9	WO 97/40738	11/06/97	PCT					
	B10	EP 0 808 606 A1	11/26/97	EPO					
	B11	EP 08020721	01/28/98	EPO					
	B12	98/37814	09/03/98	PCT					
	B13	WO 98/49944	11/12/98	PCT					
	B14	EP 0 919 193 A1	06/02/99	Europe					
	B15	WO 99/60929	12/02/99	PCT					
	B16	WO 99/60930	12/02/99	PCT					
	B17	WO 00/10466	03/02/00	PCT					

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		FILING DATE 03/15/2004		GROUP Unassigned
<b>OTHER ART</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>				
	C1	Grundeman et al., "Vertical Displacement of the Beating Heart by the Octopus Tissue Stabilizer: Influence on Coronary Flow," Ann Thorac Surg. 1998;65:138-52		
	C2	Grundeman et al., "Hemodynamic Changes During Displacement of the Beating Heart by the Utrecht Octopus Method," Ann Thorac Surg. 1997;63:S88-92		
	C3	Jansen et al., "Off-Pump Coronary Bypass Grafting: How to Use the Octopus Tissue Stabilizer," Ann Thorac Surg. 1998; 66:576-9		
	C4	Jansen et al., "Experimental Off-Pump Grafting of a Circumflex Branch via Sternotomy Using a Suction Device," Ann Thorac Surg. 1997; 63:S93-6		
	C5	Angelini, G.D., "A Simple, Inexpensive Method of Heart Retraction During Coronary Artery Bypass Surgery," Ann Thorac Surg. 1998; 46:246-247		
	C6	Calvin, I.F. & Newman, D.C., "Circumflex Exposure Using a Cardiac Sling," Ann Thorac Surg. 1990; 49:833-4		
	C7	Splittgerber et al., "Exposing the Circumflex Coronary Artery: The Heartflip Technique," Ann Thorac Surg. 1996; 61:1119-20		
	C8	Rousou et al., "Cardiac Retractor for Coronary Bypass Operations," Ann Thorac Surg. 1991; 52:877-8		
	C9	Matsuura et al., "A New Device for Exposing the Circumflex Coronary Artery," Ann Thorac Surg. 1995; 59:1249-50		
	C10	Janke, Walter H., "Heart Support for Coronary Bypass Surgery Involving the Circumflex Artery System," The Journal of Thoracic and Cardiovascular Surgery, pgs. 883-884		
	C11	Kazama, Shigeru. & Ishihara, Akira., "Fabric Heart Retractor for Coronary Artery Bypass Operations," Ann Thorac Surg. 1993; 55:1582-3		
	C12	Takahashi et al., "A New Instrument for Immobilization and Hemostasis During Minimally Invasive Direct Coronary Artery Bypass ('MIDCAB doughnut'): Experimental Study," J Card Surg. 1997;12:185-189		
	C13	Borst et al., "Coronary Artery Bypass Grafting Without Cardiopulmonary Bypass and Without Interruption of Native Coronary Flow Using a Novel Anastomosis Site Restraining Device ('Octopus')," JAAC vol. 27, no. 6 May 1996:1356-64		

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